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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/653,286	08/31/2000	Takehiro Kaminagayoshi	397.15.01	4293

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EXAMINER

GOOD JOHNSON, MOTILEWA

ART UNIT	PAPER NUMBER
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2672

DATE MAILED: 10/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/653,286	KAMINAGAYOSHI ET AL.	
	Examiner	Art Unit	
	Motilewa A. Good-Johnson	2672	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 and 20-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 and 20-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is responsive to the following communications: Application, filed on 08/31/2000; IDS, paper #6, filed on 10/07/2002; Amendment A, filed 03/10/2003;
2. Claims 1-18 and 20-27 are pending in this application. Claims 1, 6, 7 and 12 are independent claims.
3. The present title of the application is "Entertainment System, Entertainment Apparatus, Recording Medium, and Program Providing Color Coded Display Messages" (as amended).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-18 and 20-27 rejected under 35 U.S.C. 103(a) as being unpatentable over Ozawa et al., U.S. Patent Number 6,538,666 B1, "Image Processing Device using Speech Recognition to Control a Displayed Object", class 345/728, 03/25/2003, filed 12/10/1999.

Regarding claim 1, Ozawa et al. discloses an entertainment system comprising:
an entertainment apparatus for executing various programs; at least one manual

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controller for inputting a manual control request of a user to said entertainment apparatus (a manual controller for input means, figure 1, element 40); a display monitor for displaying an image outputted from said entertainment apparatus (a television display, figure 1, element 30);

However, it is noted that Ozawa fails to disclose message display means for displaying a message on said display monitor such that a color of words of a category changes in response to, and to indicate, experiences of a character in a scenario of a program executed by the entertainment apparatus.

Ozawa however, does disclose a message processing program area for processing a message helpful for operation of the environment, col. 10, lines 1-5.

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to include indications of an experience in the helpful message color operation disclosed in Ozawa to provide a helpful operation of the game experience.

Regarding claim 2, Ozawa discloses message data to be processed by said message displaying means comprises a plurality of combinations of a data unit indicating a word to be displayed and a display color code of said word to be displayed. . . (a message displaying process in which words of a message are displayed in different colors, col. 15, lines 38-67)

Regarding claim 3, Ozawa discloses message determining means comprises display a color code setting means for determining a type of a word having an undefined color code in said message data and defining said undefined color code based on the determined type. (determining a message to be displayed and comparing the word data

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and the message data and correcting the color data of the message so that certain words are displayed in a different color, col. 15, lines 38-67)

Regarding claim 4, Ozawa discloses message displaying means comprises message frame display means for displaying a message frame containing said message. (figure 20)

Regarding claim 5, Ozawa discloses message frame displaying means comprises message frame determining means for determining a display area of said message frame based on the number of characters in said message and display area of main objects . . . (message phrases in display area are output in different ways depending on the kind and scene, figure 22)

Regarding claims 6 and 7, they are rejected based upon similar rational as above independent claim 1.

Regarding claims 8-11, they are rejected based upon similar rational as above dependent claims 2-5.

Regarding claim 12, it is rejected based upon similar rational as above independent claim 1.

Regarding claims 13-18, Ozawa discloses determine if a predefined action has been performed, and to display a first word of the same type in meaning in said message in an alternate color. (an action control part for determining a word match of an action corresponding to the matched word, col. 4, lines 5-9 and further discloses the word to be inputted at a particular time and the remaining part of the message displayed in different colors, col. 3, lines 9-12)

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Regarding claims 20, 22, 24 and 26, Ozawa discloses the category comprises a place category and the color of a word of the place category indicates whether a character has previously visited the place. (a determining part, which determines whether the candidate word provided matches a word to be inputted at that time to a corresponding action control part, col. 4, lines 34-41)

Regarding claims 21, 23, 25 and 27, Ozawa discloses the category comprises a person category and the color of a word of the person category indicates whether a character has previously met the person. (a determining part which determines whether the candidate word provided matches a word to be inputted at that time to a corresponding action control part, col. 4, lines 34-41)

Regarding claim 28 and 29, they are rejected based upon similar rational as above independent claim 1.

Response to Arguments

5. Applicant's arguments, see pages 9-11, filed 07/06/2004, with respect to the rejection(s) of claim(s) 1-18 and 20-27 under 102 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of 103 Ozawa.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Motilewa A. Good-Johnson whose telephone number is (703) 305-3939. The examiner can normally be reached on Monday - Friday 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mike Razavi can be reached on (703) 305-4713. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.


Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

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Motilewa A. Good-Johnson
Examiner
Art Unit 2672

mgj
October 15, 2004



MICHAEL RAZAVI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2004